

### **V. REMARKS**

Claims 1-4 are objected to because of informalities. The claims are amended to obviate the rejection. Withdrawal of the rejection is respectfully requested.

Claims 1-4 are rejected under 35 USC 112, second paragraph, as indefinite for allegedly failing to particularly point out and distinctly claimed the subject matter of the invention. The claims are amended to obviate the rejection. Withdrawal of the rejection is respectfully requested.

Claims 1, 2 and 4 are rejected under 35 USC 102 (b) as being anticipated by Flom et al. (U.S. Patent No. 3,990,332). The rejection is respectfully traversed.

Flom teaches a method for reducing or preventing the growth of depth of cut line notching in a single point cutting edge tool by a workpiece. A method includes filling the cutting zone atmosphere of the workpiece and the single point cutting edge tool with gaseous oxygen in an amount ranging from 50% by volume to 100% by volume of the cutting zone atmosphere. The workpiece being a metallic alloy forms a depth of cut line notch in the cutting edge of the cutting tool. The cutting edge, being formed of a polycrystalline ceramic oxide body of a polycrystalline cubic boron nitride body, maintains the amount of oxygen in the cutting zone atmosphere by flowing gaseous oxygen therethrough. Machining the workpiece in the oxygen-containing cutting zone atmosphere with the single cutting edge tool prevents or significantly reduces the growth of the depth of cut line notch in the cutting edge of the tool.

Claim 1, as amended, is directed to a controlled atmosphere cutting method. Claim 1 recites that, in a cutting method of supplying gas in an atmosphere of a machining portion and performing cutting when a workpiece is cut, gas containing a concentration of oxygen higher than an oxygen concentration in air is supplied as atmospheric gas to bring the machining portion into an oxidized atmosphere so that an oxide is formed between a cutting edge of a cutting tool and the workpiece and a

damage and wear are reduced on the tool. Additionally, claim 1 recites that at least one of the cutting tool and the workpiece includes titanium or a titanium alloy.

It is respectfully submitted that the rejection is improper because the applied art fails to teach each and every element of claim 1 as amended. Specifically, it is respectfully submitted that the applied art fails to teach that at least one of the cutting tool and the workpiece includes titanium or a titanium alloy. Thus, it is respectfully submitted that claim 1 is allowable over the applied art.

Claims 2 and 4 depend from claim 1 and includes all of the features of claim 1. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reason claim 1 is allowable as well as for the features they recite.

Withdrawal of the rejection is respectfully requested.

Claim 3 is rejected under 35 USC 103 (a) as being unpatentable over Flom. The rejection is respectfully traversed.

Claim 3 depends from claim 1 and includes all of the features of claim 1. Thus, it is respectfully submitted that the dependent claim is allowable at least for the reason claim 1 is allowable as well as for the features it recites.

Withdrawal of the rejection is respectfully requested.

Further, Applicants assert that there are also reasons other than those set forth above why the pending claims are patentable. Applicants hereby reserve the right to submit those other reasons and to argue for the patentability of claims not explicitly addressed herein in future papers.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the

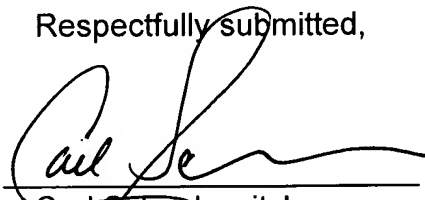
telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

Date: March 22, 2007

By:

  
Carl Schaukowitch  
Reg. No. 29,211

**RADER, FISHMAN & GRAUER PLLC**  
1233 20<sup>th</sup> Street, N.W. Suite 501  
Washington, D.C. 20036  
Tel: (202) 955-3750  
Fax: (202) 955-3751  
Customer No. 23353

Enclosure(s):       Amendment Transmittal

DC269171.DOC